

<b>Planning Reference No:</b>	10/1409N
<b>Application Address:</b>	Nova Court, West Street, Crewe, CW1 3JD
<b>Proposal:</b>	Construction of 18 New Town Houses
<b>Applicant:</b>	Wulvern Housing
<b>Application Type:</b>	Full Planning Application
<b>Grid Reference:</b>	369980356133
<b>Ward:</b>	Crewe East
<b>Earliest Determination Date:</b>	2 June 2010
<b>Expiry Dated:</b>	19 July 2010
<b>Date of Officer's Site Visit:</b>	30 June 2010
<b>Date Report Prepared:</b>	9 July 2010
<b>Constraints:</b>	

## **SUMMARY RECOMMENDATION**

**APPROVE** subject to conditions and subject to the completion of Section 106 Agreement

### **MAIN ISSUES**

- Principle of Residential Development
- Sustainability, Climate Change and Renewable Energy
- Highway Safety
- Design Standards
- Trees
- Amenity
- Community Use
- Affordable Housing
- Protected Species

## **1. REASON FOR REFERRAL**

The proposals relate to a residential scheme of over 10 units and therefore the application is to be determined by the Southern Planning Committee under the terms of the Scheme of Delegation.

## **2. DESCRIPTION OF SITE AND CONTEXT**

The site did comprise a disused property with some existing trees in generally poor condition. However, the site has since been completely cleared with the building demolished and trees and hardstanding removed. The site is now surrounded by construction fencing.

There were 17 trees on the site; all of these trees have been removed.

The site is within Crewe town centre and lies approximately half a mile to the west of the primary shopping area. It is rhombus-shaped with each side being approximately fifty metres long. The site is generally level and bounded by highway on all sides - West Street and Stafford Street being the two most prominent roads and Dewes Street which connects

them. West Street has a mix of one, two and three storey shops and residential buildings which are generally on the back edge of pavement.

St Paul's church is to the east of the site and there is a petrol station to the opposite corner of West Street and Stafford Street.

The built fabric along Stafford Street is more disjointed, with a mix of housing and larger buildings at varying distances from the pavement including Adelaide School which lies to the immediate east of the site. Dewes Street services the back of two storey social housing to the north of the site and an industrial building operating as a motor mechanic garage to the west.

Nova Court was a typical 1970's style two storey brick building with a mansard tiled attic storey culminating in a flat roof. The building had a cruciform plan with each of four wings containing eight sheltered housing units. Planning consent was granted in March 2006 for refurbishing the housing units in the northern half of the building and converting the southern half of the building into a café, information point and offices.

This refurbishment project was later abandoned in favour of re-developing the site for social housing. Nova Court has since been demolished and the site has been cleared.

There were formerly thirty two sheltered housing units for Wulvern Housing on the site.

There is a 2m wide pavement around the perimeter of the site, with a 1.35m front garden zone between the building and pavement.

### **3. DETAILS OF PROPOSAL**

In summary the proposals relate to the erection of 18 town houses with 27 car parking spaces.

The following is to occur:

- Erect two blocks of townhouses; one would face Dewes Street and the other would face West Street with an unadopted access road sited between the two terraces. This would run from Dewes Street (west) to Stafford Street although vehicular access would only be available from Stafford Street. The access road measures 4.8m x 49m in length;
- The West Street block would comprise 4x 4bed townhouses with floor areas of 102 sq. m, 8 x 3 bed townhouses with floor areas of 94 sq. m
- West Street block will measure 7.8m wide (excluding canopies), 48.5m in length, reaching a height of 8.3m;
- The Dewes Street block would comprise 4 x 3 bed townhouses with a floor area of 102 sq. m and 4 x 2 bedroom townhouses with a floor area of 88 sq. m;
- Dewes Street block would measure 7.8m wide (excluding canopies), 39m in length, reaching a height of 8.3m;
- The design incorporates green roofs, metal cladding, galvanised metal rainwater goods, glazed canopies over the entrance porches and timber framed windows and doors;
- Terraces are proposed on the rear elevations and galvanised metal lintels and green roofs to the rear canopies;
- 0.5m high low boundary wall to West Street, 0.9m high boundary wall to Dewes Street and Stafford Street.

Amended plans have been received. The main changes relate to:

- Altered window proportions
- Reduced height of third storey
- Additional windows to gable end
- Alteration from flat to sloping roof

#### **4. RELEVANT HISTORY**

7/03485- Category 2 sheltered accommodation comprising 31 dwellings approved 24/11/1997

P06/0077- change of use of part of building to community café and offices and associated alterations approved 7/3/2006

P07/1183- change of use of part of building to community café and offices with 20 sheltered accommodation units approved 19/10/2007

#### **5. POLICIES**

The development plan comprises the Borough of Crewe and Nantwich Replacement Local Plan 2011 (LP)

The relevant development plan policies are:

##### **Local Plan Policy**

NE.5 (Nature Conservation and Habitats)

NE.9 (Protected Species)

BE.1 (Amenity)

BE.2 (Design Standards)

BE.3 (Access and Parking)

BE.4 (Drainage, Utilities and Resources)

BE.5 (Infrastructure)

RES.2 (Unallocated Housing Sites)

RES.3 (Housing Densities)

RES.7 (Affordable Housing)

TRAN.1 (Public Transport)

TRAN.3 (Pedestrians)

TRAN.4 (Access for the Disabled)

TRAN.5 (Provision for Cyclists)

TRAN.9 (Car Parking Standards)

CF.3 (Retention of Community Facilities)

##### **Other Material Considerations**

PPS3 Housing

PPS1 Delivering Sustainable Development

PPS1 Climate Change Supplement

PPS22 Renewable Energy

PPG24 Planning and Noise

SPD Development on Backland and Gardens

PPS9 Biodiversity and geological Conservation

## **6. CONSULTATIONS (External to Planning)**

**Environmental Health:** None received at time of writing report

**Highways:** None received at time of writing report

**Sustrans:** None received at time of writing report

**Landscaping:** None received at time of writing report

## **7. OTHER REPRESENTATIONS:**

None received at time of writing report

## **8. APPLICANT'S SUPPORTING INFORMATION**

Tree Report and Survey; summary

- Most of the trees were either put into R category for removal or C category which means they have a low value;
- T1 and T2 were Flowering Cherries and were in poor condition;
- T3 Lime had a structurally weak fork;
- T11 and T13 Alders were also in very poor condition- these would normally be removed on the grounds of safety even if the development did not take place;
- Trees T3-T10, T12 and T14-T16 are all category C trees. This means that they were generally in poor condition or could be easily replaced by planting new trees in more suitable locations;
- T17 Sycamore was the only category B tree that would need to be removed. It was not of a high enough value to warrant an attempt to re-locate it;
- There would appear to be adequate room within the proposed development to plant suitable trees to enhance the site. These should be dealt with within as part of the landscape proposals for the site.

Bat and Bird Survey; summary

- No bats, barn owls, birds or evidence of said species was recorded from the external and internal surveys of the buildings;
- The proposed redevelopment would have no negative impact on barn owls, bats or birds as none were evident during this site scoping survey;
- Recommends installing bat and bird boxes, shrubs and climbers, plantation of native standard trees and that external lighting is downward facing.

Design and Access Statement; summary

- There are a variety of building types, fabrics and heights in the immediate vicinity of the site. West Street provides the most homogenous urban context;
- Extensive pre-application discussions with the Local Planning Authority and the design has been exhibited by Wulvern Housing to the local community;
- Acknowledge that Highways Dept preference is for 100% rather than 150% parking proposed;

- The site is clearly well suited to residential use being flanked by a mix of housing, community and retail facilities. The built up urban frontage proposed along West Street and Dewes Street would relate strongly to the immediate context of terrace type buildings and will reinforce the existing street scene;
- The site was formerly thirty two sheltered housing units for Wulvern Housing. Permission was granted in 2006 for refurbishment of the whole building with conversion of the front address to West Street into offices and café but this was not implemented. The previous building has since been demolished and the site cleared.

Noise Survey; summary

- West Street due to general road traffic conditions was identified as a main source of noise affecting the proposed dwellings;
- Adequate residential protection can be provided against typical road traffic events and emissions;
- Proposed development can easily meet minimum build standards required of current Building Regulations and with selective fitment of noise attenuation articles, allow a good standard of internal living;
- Condition could be applied to allow control over the implementation of basic noise attenuation.

## **10. OFFICER APPRAISAL**

### **Principle of Residential Development**

The application site constitutes previously developed land and is therefore a Brownfield site as defined by PPS3.

The site lies within the settlement boundary of Crewe where there is a presumption in favour of development. Policy RES.2 states that residential development on such sites is acceptable in principle.

Turning to density issues, para 50 of PPS3 states that the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment.

Notably, PPS3 does not set any density thresholds; policy RES.3 suggests that densities of 30-50 dwellings per hectare would be acceptable provided that the quality of the local environment is not compromised and that the higher level of density is achieved in locations where there is good access to public transport.

In this instance, the proposals achieve a density of 72 dwellings per hectare. Whilst this is over the density within the local plan, PPS3 is a material consideration and was published after the local plan was adopted and as such represents current thinking in respect of development densities.

Based on the above and given that the development would not appear to be shoe horned into the site and given the relative density of the environs, it is considered that the proposed redevelopment of the site for 18 town houses is acceptable in principle.

## **Sustainability, Climate Change and Renewable Energy**

The properties have been designed to meet Code for Sustainable Homes Level 4. The proposed sustainability measures include the following:

- Green roof to encourage biodiversity, reduce the urban heat island effect and reduce storm water run-off;
- Flat roof form to simplify the installation and maintenance of photo-voltaic panels to provide renewable energy;
- Chimneys to enable passive stack ventilation, house vertical service runs and enable heat recovery or mechanical ventilation where required;
- The inclusion of a separate home office in the majority of units and an enlarged second floor bedroom allowing for office space in all other units;
- Enhanced thermal insulation to the building fabric;
- External washing lines, sheds, composting areas, covered porches and cycle storage within private garden areas;
- Good levels of natural light and ventilation to all rooms;
- Semi-abundant stairs with straight flights to ease access and simplify retro-fitting of stair lifts;
- Sourcing of local labour and sustainable materials where possible;
- Over-hanging eaves to provide solar shading and additional all-weather amenity space.

PPS1 places increasing importance on climate change and the importance of the inclusion of renewable energy measures within new development. The North West of England Regional Spatial Strategy required 10% of the energy needs of new housing developments to come from renewable energy sources. This spatial strategy has now been cancelled. However, national guidance still prioritises renewable energy measures and therefore the measures suggested above will be conditioned accordingly to promote development which contributes towards sustainability objectives.

## **Highway Safety**

As a railway town, Crewe is well connected with frequent trains on main line routes. It is also easily accessible by road being close to the A500 and M6 motorway. Manchester airport is twenty seven miles away.

The application site is within Crewe Town Centre and therefore easily accessible on foot, by cycle and public transport. There is a bus stop on West Street immediately adjacent to the site.

27 car parking spaces were to be provided with three of these spaces in tandem and would be reserved for the 3 or 4 bedroom units situated on the corners. This has since been reduced to 18 spaces (one per unit), following on from the Council's Highways Department.

The access would have a 2 metre radius leading to a 4.2 metre wide lane (narrowed to discourage parking) with a 900mm service strip to each side for lighting and other services. All parking bays would be accessed directly from the lane and all cars would be able to turn and egress the site in a forward gear.

Following the reduction in the number of car parking spaces to 18 spaces (one per unit) the layout has been amended to include a turning head as requested by the Highways Manager and a cycle storage area. The layout as amended would encourage more sustainable methods of travel, ensure the development does not appear car dominated and provide a more appropriate layout in respect of highway movement and highway safety.

## **Design Standards**

There are a variety of building types, fabrics and heights in the immediate vicinity of the site. West Street provides the most homogenous urban context. The prevailing character of the area is typified by Victorian terraces along West Street; these comprise two storey terraces which comprise shop fronts at ground floor level with bay windows above and often a third storey in the roofspace. There are also residential terraces comprising bay windows at ground floor level with smaller windows at first floor level and dormer windows in the roof. There is a regimented pattern to the streetscene and these Victorian terraces are tall buildings with projecting and recessed elements which add texture to the streetscene. Buildings are back of pavement and development is dense.

The scale and massing of the proposal is appropriate to this context. The adjacent three storey Victorian building on the corner of Adelaide Street and West Street has an eaves height which is similar to the height of the proposed town houses. There are other large scale existing buildings in the immediate area such as Adelaide Street School and St Paul's Church on West Street.

The central part of the site would be given over to amenity space and car parking. Each town house would have a private garden of approximately fifty square metres. The lower part of the building would be constructed from brickwork in response to the local vernacular. The top floor accommodation would be set back by approximately one metre on the street elevations and would be clad in metal to reduce impact and respond to the more varied roofscape of Crewe Town Centre. The development would have a green roof which is both an attractive and sustainable feature. The 1.35m garden zone would set the building back from the pavement. Good quality planting would soften the boundary and prevent the building from being too hard and close to the street.

The vertical emphasis of the entrance areas and the chimneys would provide a rhythm to the street elevations whilst breaking the elevations up into distinct and legible residential units. This would reflect the proportions and alignment of the Victorian terraces.

The top storey would be set back from the street by approximately one metre which would both reduce the scale of the town houses and unify the proposal.

Amended plans were received in response to officer concerns regarding the design of the proposals; the windows on the gable ends would provide visual interest to these gables which would be prominent to the streetscene; the provision of the sloped roof would respect the roof form of the Victorian terraces and would result in projecting and recessed elements which would add visual interest.

In conclusion, the design of these townhouses is a modern interpretation of the Victorian terraces present along West Street. The design and layout of the dwellings would respect the regimented and built up pattern of development along West Street. The detailing and proportions of the units are typical of the Victorian terraces, and the choice of materials

and unique design features such as the recessed third storey, green roof and sloping roof would introduce modern design features which would respect the historic character of the area. In so doing, the proposals would make a positive contribution to the character and appearance of the area.

## **Trees**

A tree report was submitted as part of the proposals which indicated that the trees which have been removed were either diseased or of limited aesthetic value. Whilst the removal of these trees prior to the submission of the application is regrettable, the applicant did enter into pre-application discussions and the case officer did not consider that these trees were worthy of retention or had an amenity value which would warrant protecting the trees with a Tree Preservation Order.

As the tree report represents an accurate record of the trees that were present on the site, it is considered appropriate to include replacement tree planting within the garden areas of the units to ensure that greenery is provided to soften the urban edge of the development. Landscaping conditions will be incorporated within the decision notice in the event the application is approved.

## **Amenity**

A commercial building is sited to the west of the application site and Adelaide Primary School is to the east. There are residential properties to the rear and a mix of shop units with flats above and residential properties opposite.

The SPD Development on Backland and Gardens suggests separation distances of 21m between principal windows. The proposals achieve 14m to the properties along West Street which is below this figure. That said, the relationship between the proposals and the properties to the front reflects the existing pattern of development within the locality; moreover this pattern is commonplace within the urban area of Crewe amongst its Victorian and Edwardian terraces. Whilst the proximity of the townhouses to the residential properties opposite would result in overlooking, given the existing pattern of development within the locality and the intimate nature of properties, it is not considered the development would have a detrimental impact upon neighbouring properties.

The separation distances between the two blocks is over 21m and the separation distances to 1-5 Dewes Street is 21m which accords with the guidance within the SPD.

Turning to garden space, the SPD suggests a minimum of 50 sq. M per unit. As the units would have in the region of 65 sq. M of private amenity space this is considered appropriate taking into consideration the built up nature of the location and the relative size of the units.

The proposals do not raise any overshadowing issues to principal windows of existing properties given the separation distances between the proposed units and existing properties. There would be no overshadowing of the gardens as these are in excess of 10m in length and given that the built form is restricted to the north and south aspects.

Turning to noise, a Noise Survey has been submitted as part of the application which indicates that whilst West Street does suffer from background noise due to road traffic this

can easily be mitigated with noise attenuation measures. These will be conditioned accordingly.

## **Community Use**

The former Nova Court building was a community facility. That said this was a long term vacancy and had been periodically vandalised and as such this had an adverse impact both on the character of the area and the wellbeing of the community. Moreover it should be noted that the loss of this community facility was considered acceptable in 2007 when permission was granted for Change of Use into Community Cafe and Offices with 20 Sheltered Accommodation Units.

In any event, this is a moot point given that the building has already been demolished.

For the reasons above it is considered that the proposals do not facilitate the loss of a community facility which contributes to the prosperity of the community.

## **Affordable Housing**

Policy RES.7 as modified states that affordable housing targets on windfall sites will be 35%. The scheme proposed shows 18 units. 35% of 35 is 6.3 equating to 6 units. The applicant is a Housing Association and therefore all the units would be affordable. The policy also requires that account is taken of the need to provide rental and subsidised units.

The developer has not indicated whether the units to be provided will be for rent or shared ownership. Clarification from the applicant has been sought in this regard.

However Housing Officers have indicated on other schemes that subsidised units are 'out of reach' of many people in housing need living in Crewe due to the rising cost of living, incomes and the recent downturn in the economy.

Wulvern Housing have submitted a draft section 106 Agreement which is currently being ratified by the Council's legal services department.

The proposals would include 4 four bed units and 12 three bed units and 4 two bed units which provides a mix of different accommodation types which accords with the Housing Needs Survey 2005.

The section 106 agreement will require the provision of 6 affordable units for rent or shared ownership (subject to stair casing), on the site as detailed above along with the following;

- A trigger for delivery of the affordable housing;
- A 'cascade' will need to be included to ensure that first priority is given to those in housing need who are resident in or who have connections to the wards of Crewe (wards of Alexandra, Coppenhall, Delamere, Grosvenor, Leighton, Maw Green, St Barnabas, St Johns, St Marys, Valley, Waldron, Wells Green, Willaston, Wistaston Green) followed by the whole of the former Borough of Crewe and Nantwich area;
- Provision for nomination rights to be given to Cheshire East Borough Council;
- The affordable units shall be units to rent, subject to a rent which is accepted as affordable by the Homes and Communities Agency for the Borough area which shall, so

far as the law allows, exclude any right which the lessee may otherwise have to acquire the freehold or long leasehold interest in such units.

## **Protected Species**

The trees were suitable habitats for Bats and Barn Owls which are listed as a protected species under schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Protected species are considered to be a material consideration in the determination of a planning application, and therefore any impact must be considered and mitigated accordingly.

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or nesting places,

- In the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment and provided that there is
- No satisfactory alternative and
- No detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK implemented the Directive by introducing The Conservation (Natural Habitats etc) Regulations 1994 which contain two layers of protection

- A requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements above, and
- A licensing system administered by Natural England.

Local Plan Policy NE.9 (Protected Species) seeks to prevent harm to protected species and their habitats.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. "This may potentially justify a refusal of planning permission."

PPS9 (2005) advises LPAs to ensure that appropriate weight is attached to protected species "Where granting planning permission would result in significant harm .... [LPAs] will need to be satisfied that the development cannot reasonably be located on any alternative site that would result in less or no harm. In the absence of such alternatives [LPAs] should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where significant harm cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused."

PPS9 encourages the use of planning conditions or obligations where appropriate and again advises [LPAs] to "refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm."

The converse of this advice is that if issues of detriment to the species, satisfactory alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

The ecologist's report indicates that the development would not have an adverse impact upon bats, barn owls or breeding birds but recommends as best practice, installing bat and bird boxes, shrubs and climbers, plantation of native standard trees and that external lighting is downward facing. His recommendations will be conditioned accordingly.

In conclusion, the proposals, if conditioned to be in accordance with the recommendations of the protected species survey, would not have an adverse impact upon protected species provided that there are no objections from the Council's ecologist.

## **11. CONCLUSIONS**

In conclusion the site lies within the settlement boundary of Crewe where there is a presumption in favour of development. The design is modern but respects the character of the area and would make a positive contribution to the character of the area by redeveloping a vacant site. In addition the scheme would not have a significant adverse impact upon neighbouring residential amenity, the amenities of future occupants, highway safety, protected species or nature conservation. In so doing the proposals therefore accord with policies NE.5 Nature Conservation and Habitats, BE.1 Amenity, BE.2 Design Standards, BE.3 Access and Parking, BE.4 Drainage, Utilities and Resources, BE.5 Infrastructure, RES.2 Unallocated Housing Sites, RES.3 Housing Densities, RES.7 Affordable Housing, TRAN.1 Public Transport, TRAN.3 Pedestrians, TRAN.4 Access for the Disabled, TRAN.5 Provision for Cyclists, TRAN.9 Car Parking Standards and CF.3 Retention of Community Facilities of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

## **12. RECOMMENDATIONS**

**APPROVE** subject to the completion of Section 106 Agreement and subject to the following conditions:

- 1. Commence development within 3 years**
- 2. Submission of sample materials**
- 3. Development in accordance with the approved plans**
- 4. Removal of all permitted development rights**
- 5. Submission of boundary treatment details**
- 6. Submission of sample surfacing materials**
- 7. Submission of noise attenuation details**
- 8. Implementation of renewable energy measures as specified**
- 9. Submission of landscaping plan**
- 10. Implementation of landscaping plan**
- 11. Car parking and turning head shown on plans to be provided and maintained**
- 12. Submission of cycle parking and bin storage details**
- 13. Implementation of mitigation measures specified within protected species survey**
- 14. Submission of drainage details**

Location Plan: Cheshire East Council Licence No. 100049045

